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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,057	07/22/2003	Pascal Decicco	4481-4000US2	8257
7590	01/09/2004		EXAMINER	
MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053				PATEL, TULSIDAS C
		ART UNIT	PAPER NUMBER	2839

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/625,057	DECICCO, PASCAL	
	Examiner	Art Unit	
	T. C. Patel	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 29-53 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 29-53 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 July 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7/22/03.
- 4) Interview Summary (PTO-413) Paper No(s). _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

General Status

1. This is a First Action on the Merits. Claims 29-53 are pending in the case.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the conduit recited in claim 43-45 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 43-45 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 43, it is not clear if conduit is being positively claimed or not. The invention is related to connector and not the conduit and therefore, the phrase "is connected to adjoining conduit" in claims 43-45 should be amended to --is adapted to be connected to an adjoining conduit--.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 29, 32, 33, 35, 36, 38-41, 43-47, 49, 50, 52 and 53 are rejected under 35 U.S.C. § 102(b) as being anticipated by Phillips (US 2,700,140).

For claim 29, Phillips, in figure 1, discloses method for providing an explosion-proof instrument quick disconnect and seal for use in hazardous environments, comprising first portion 13 having a first bore extending therethrough from a proximal end to a distal end; a second portion 16 detachably coupled to the first portion and having a second bore extending therethrough from a first end to a second end, the second end of the second portion being received within the first bore of the first portion to define an explosion-proof chamber within the first and second portions when the first and second portions are coupled to one another; a first electrical insert 36 having electrical contacts 39 positioned within the first bore of the first portion; and a second electrical insert 28 having electrical contacts 68 positioned within the second bore of the second portion; wherein each of the electrical contacts engage and form an electrical connection with a respective electrical contact in the second electrical insert within the explosion-proof chamber when the first and second electrical contacts in the first electrical insert portions are coupled to one another. The rotation of the coupling in first and second directions causes the first portion to move longitudinally toward or away from the

second portion to electrically connect or disconnect the respective contacts of the first and second electrical inserts. Also, considering the lengths of contact overlap and threads overlap shown in figure 1, a predetermined number of threads on the first portion and coupling must engage before electrical connection of the respective contacts of the first and second inserts.

For claim 32, the inserts 28, 36 are made from electrical insulating material (column 3, line 62-63). For claim 33, the contacts are pin and socket as shown in figure 1.

For claims 35 and 36, the contacts are connected to conductors 43, 44 and the conductors are soldered to the respective contacts (column 2, lines 23-24). For claims 38-41 and 50, sealing 47 is disclosed for first and second parts and is made from silicon rubber (column 2, line 66).

For claims 43-45, threads on the external surface of the first and second parts is shown in figure 1 (which is connected to item 61) and can be used to connect to a conduit. For claims 46 and 47, similar threads along with a union 60 are disclosed for the second part. Please note that the conduit is not positively claimed.

For claim 49, locating pin 70 and slot 71 arrangement is disclosed in figure 1 for proper alignment of two parts. For claim 50, seal 72 is disclosed between the two parts. For claims 52 and 53, the first and second parts can be disconnected without disconnecting pin and socket from the wires and therefore, the power supply to both the parts remains intact.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the

subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 30, 31, 34, 37, 42, 48 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 2,700,140) in view of GB 2,152,302 and Seilhan (US 4,801,277).

As discussed above, Phillips satisfies the limitation of claims 29, 32, 33, 35, 36, 38-41, 43-47, 49, 50, 52 and 53. However, Phillips does not disclose engagement of five threads between the two parts (claim 30), the material of the first and second part to be stainless steel (claims 31, 42 and 48), the wire being crimped to the terminal (claim 37), ground pin being longer than the other pins (claim 34) and also seal on the external surface of the second part (claim 51). For claims 30 and 37, having five thread engagement or crimping of conductor to the terminal, is a matter of design choice.

For claims 31, 42 and 48, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use stainless steel as body material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

For claims 34 and 51, GB '302 discloses a connector with pins having different length and Seilhan discloses second connector with external surface having O-ring seal (not numbered). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the connector of Phillips and provide ground pin with longer length compared to the other pin as taught by GB '302 so that the connector is grounded

while the other pin is (power pin) is disconnected so as to prevent arc. Also, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide seal on the external surface of the second part, so that a moisture seal is provided between the two parts.

10. The prior art made of record and not relied upon is considered pertinent to applicant's invention. Herrmann, Jr. (US 4,166,664) and Arnswald et al. (US 5,362,258) both disclose two part connectors.

Applicant also should consider these references in response to this office action. Should issue arise concerning the rejection presented above, these references may be relied upon in a subsequent action to support the lack of novelty or obviousness of claimed subject matter to one of ordinary skill in the art.

Change of Address

11. Effective May 1, 2003, the United States Patent and Trademark Office has a new Commissioner for Patents address. Correspondence in patent-related matters to organizations reporting to the Commissioner for Patents must now be addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered of responses should be brought to:

Crystal Plaza-4, Fourth floor (receptionist)
2201 South Clark Place, Arlington, Virginia

Art Unit: 2839

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. C. Patel whose telephone number is (703) 308-1736 OR **(703) 272-2098** (after January 30, 2004). The examiner can normally be reached on 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (703) 308-2710 OR (703) 272-2092 (after January 30, 2004). The fax phone numbers for the organization where this application or proceeding is assigned are **(703) 872-9306**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



T. C. Patel
Primary Examiner
Art Unit 2839

tcp
January 4, 2004